



PATENT
Docket No.: 19603/2501 (CRF D-2375A)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Beer et al.)	Examiner:
)	A. Kubelik
Serial No.	:	09/770,693)	
Cnfrm. No.	:	6816)	Art Unit:
)	1638
Filed	:	January 26, 2001)	
For	:	OOMYCETE-RESISTANT)	
		TRANSGENIC PLANTS BY VIRTUE)	
		OF PATHOGEN-INDUCED)	
		EXPRESSION OF A HETEROLOGOUS)	
		HYPERSENSITIVE RESPONSE)	
		ELICITOR)	

NOTICE OF APPEAL
AND
REQUEST FOR THREE-MONTH EXTENSION OF TIME

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

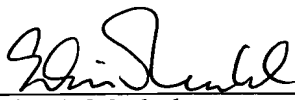
Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Primary Examiner's decision dated November 5, 2003, finally rejecting claims 1-10, 22-44, and 56-73.

Applicants hereby request an extension of time of three months from the due date of February 5, 2004.

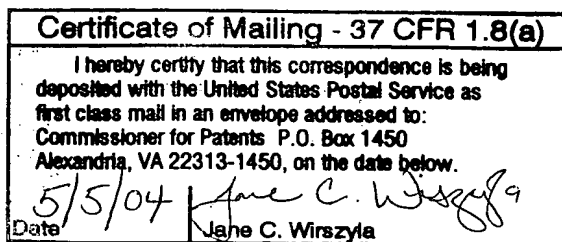
Enclosed is a check in the amount of \$640, which covers the \$165 cost of the appeal fee and the \$475 cost of the extension of time. Please charge any additional fees which may be required or credit any overpayment to Deposit Account No. 14-1138. A duplicate copy of this form is attached.

Respectfully submitted,

Dated: May 5, 2004


Edwin V. Merkel
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01 FC:2401
05/10/2004 WABDELRI 00000015 09770693 475.00 DP
02 FC:2253